

U.S. Patent Application Serial No. 10/648,700  
Reply to Office Action dated August 25, 2004

**Amendments to the Drawings**

Please replace Figure 4 with the new amended Figure 4 attached herewith. Also attached is an annotated drawing sheet showing changes made to Figure 4.

**Remarks:**

Applicant has read and considered the Office Action dated August 25, 2004 and the references cited therein. Claim 1 has been amended. Claims 1-7 are pending.

In the Action, the specification was objected to, as the Abstract of the Disclosure was not clear. The Abstract has been amended to remove the objected to language. The disclosure was objected to for a typographical error. The disclosure has been amended to correct the error. No new matter has been added.

The drawings were objected to, as they did not include a reference sign mentioned in the description. The drawings have been corrected to include the correct reference number.

Claims 1-7 were rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The claims have been amended and do not recite a combination including parts of the human body.

Claims 1-4 were rejected under 35 U.S.C. 102(b) as being anticipated by NARDI. Claims 5-7 were rejected under 35 U.S.C. 102(b) as being unpatentable over NARDI. NARDI is directed to a device for producing quick coupling for dental prostheses. This is a type of coupling that has been in existence for quite some time in the industry and is not related to solving the same problems as the present invention. Specifically, the Office Action states that NARDI discloses a pair of mating bars having a predetermined size and shape selected from a plurality of predetermined size and shape, said pair of mating bars comprising a meso-bar fastened to said connecting bar and an iso-bar removably attached to said meso-bar with attaching means.

In fact, although there is a customised connecting bar that is reference numeral 2 in NARDI, NARDI does not teach a pair of mating bars as recited in claim 1.

NARDI illustrates what he terms "auxiliary bars 6 and 7". Referring to column 3, lines 7 and following, it is stated:

*"The bars 6 and 7 define, in corresponding positions, at least one respective annular portion 6a and 7a; said annular portions are two in the case shown in FIG. 1 and correspond to the same number of male elements 1 of the bar 2. The annular portions 6a and 7a are suitable for co-operating in order to define, when the two bars 6 and 7 are coupled, a compartment whose shape is complementary to the shape of the plastic cap 3 in which the female element of the coupling is defined. For the sake of greater clarity, the contour defined by said cap 3 is shown in FIG. 1.*

*In particular, the connecting region of the annular portions 6a and 7a is suitable for defining a shoulder which corresponds to the shoulder 4 of the plastic cap 3.*

*The bars 6 and 7 are suitable for being coupled by means of a plurality of pivots 8 which protrude from one bar and are intended to enter corresponding holes 9 of the other bar.*

*The coupled bars 6 and 7 are intended to be associated with the bar 2 of the fixed part of the prostheses, so as to arrange the related annular portions 6a and 7a about a corresponding male element 1. Preferably, a positioning element 10 is prearranged on the male element 1; said positioning element is constituted by a ring which is appropriately tapered externally and is suitable for being inserted in the compartment defined by the annular portions 6a and 7a for a more precise positioning of the bars 6 and 7.*

*In practice, according to the various requirements, different portions of said calcinable bars, positioned appropriately, are used. Said bars are then joined by means of wax (or self-polymerizing or photopolymerizing or in any case calcinable synthetic*

*resin), preferably taking care to apply a film of wax so as to also close the top of the compartment defined by the annular portions 6a. A model is thus obtained which, after the removal of the male elements 1 and the extraction of the positioning elements 10, allows to produce, by lost-wax casting, a metallic piece which is intended to be monolithically integrated with the removable part of the prosthesis."*

Applicant directs the Examiner to the use of the word "monolithically" in the last sentence of this paragraph.

What is taught by NARDI is an element that forms part of the prosthesis (see FIG. 2 of NARDI) formed by bars 6 and 7 and elements 3 that are a single piece once assembled. Although two separate elements are used, this structure is not a pair of mating bars as recited in claim 1.

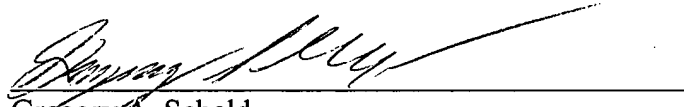
Furthermore, with regard to NARDI, admitting for argument's sake, that if bar 7 could be construed as a meso-bar, this meso-bar is not fastened to the connecting bar and again admitting for argument's sake that iso-bar is bar 6, bar 6 is not removably attached to the meso-bar with attaching means. The structure is far different than that of the present invention and does not achieve the object of the present invention, which is to provide a more accurate prosthesis. Applicant asserts that claim 1 and the claims depending there from patentably distinguish over NARDI and the prior art.

A speedy and favorable action on the merits is hereby solicited. If the Examiner feels that a telephone interview may be helpful in this matter, please contact Applicant's representative at (612) 336-4728.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612/332-5300

Date: 12/23/04

  
Gregory A. Sebald  
Reg. No. 33,280  
GAS/km



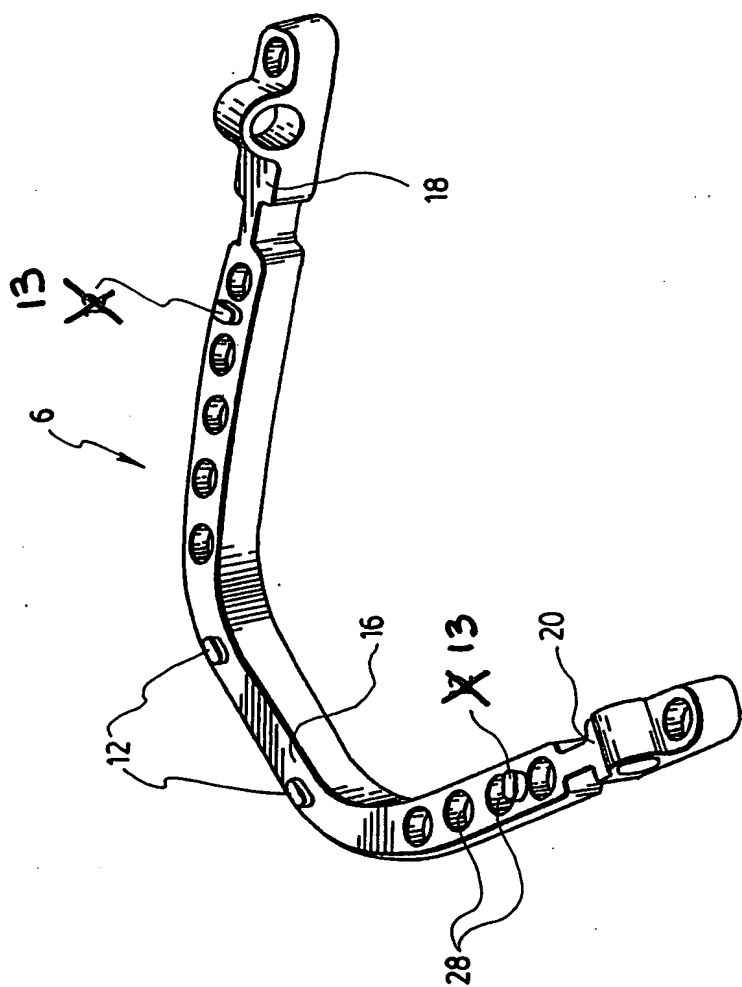


FIG. 4